

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CLIFTON ESKRIDGE,

Defendant.

CASE NO. CR14-5050BHS

ORDER

This matter comes before the Court on the Defendant's unopposed motion for a continuance of the trial date and a new pretrial motions due date. The Court, having considered the motion, the affidavit of defense counsel in support of the motion and Defendant's speedy trial waiver makes the following findings of fact and conclusions of law:

1. Defense counsel continues to receive and review discovery and needs additional time to do so, as well as to prepare potential pretrial motions.

2. The defense needs additional time to explore all relevant issues and defenses applicable to the case, which would make it unreasonable to expect adequate preparation for pretrial proceedings or for trial itself within the time limits established by the Speedy Trial Act and currently set for this case. 18 U.S.C. § 3161(h)(7)(B)(ii).

1 3. Taking into account the exercise of due diligence, a continuance is necessary to allow
2 the defendant the reasonable time for effective preparation his defense, to explore resolution of
3 this case before trial and to substantially ensure continuity of defense counsel. 18 U.S.C. §
4 3161(h)(7)(B)(iv).

5 4. Proceeding to trial absent adequate time for the defense to prepare would result in a
6 miscarriage of justice. 18 U.S.C. §3161(h)(7)(B)(i).

7 5. The ends of justice served by granting this continuance outweigh the best interests of
8 the public and the defendant in a speedy trial. 18 U.S.C. § 3161(h)(7)(A) and (B).

9 6. Defendant waived speedy trial through July 30, 2014.

10 NOW, THEREFORE, IT IS HEREBY ORDERED

11 That the trial date is continued from April 15, 2014, to July 22, 2014, at 9:00 a.m.
12 Pretrial Conference is set for July 8, 2014, at 10:00 a.m. Pretrial motions are due by May 27,
13 2014. The resulting period of delay from March 31, 2014, to July 22, 2014, is hereby excluded
14 for speedy trial purposes under 18 U.S.C. § 3161(h)(7)(A) and (B)

15 Dated this 8th day of April, 2014.

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18 BENJAMIN H. SETTLE
19 United States District Judge
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